

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – APRIL 1, 2008

-1-

THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, APRIL 1, 2008, AT 6:34 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt
Russ Brooks
Carolynn Burt
Joel Coleman
Corey Rushton
Steve Vincent
Mike Winder

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Joseph Moore, CED Director
John Evans, Fire Chief
Richard Catten, City Attorney
Kevin Astill, Parks and Recreation Director
Jim Welch, Finance Director
Layne Morris, Community Preservation Director
Russell Willardson, Public Works Director
Colleen Hewitt, Acting Police Chief
Aaron Crim, Administration
Anita Schwemmer, Police Department
Loran Brumley, Police Department
Jake Arslanian, Public Works Department

13989 OPENING CEREMONY

The Opening Ceremony was conducted by Steve Vincent who showed a humorous video entitled, "For the Birds."

13990 SCOUTS

Mayor Nordfelt welcomed Scout Troop No. 96 in attendance to complete requirements for the Citizenship in the Community Merit Badge.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – APRIL 1, 2008

-2-

13991 **APPROVAL OF MINUTES OF REGULAR MEETING HELD MARCH 11, 2008**

The Council read and considered the Minutes of the Regular Meeting held March 11, 2008. There were no changes corrections or deletions.

After discussion, Councilmember Vincent moved to approve the Minutes of the Regular Meeting held March 11, 2008, as written. Councilmember Winder seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

13992 **APPROVAL OF MINUTES OF REGULAR MEETING HELD MARCH 18, 2008**

The Council read and considered the Minutes of the Regular Meeting held March 18, 2008. There were no changes corrections or deletions.

After discussion, Councilmember Vincent moved to approve the Minutes of the Regular Meeting held March 18, 2008, as written. Councilmember Winder seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – APRIL 1, 2008

-3-

Unanimous.

13993 **EMPLOYEE OF THE MONTH AWARD, MARCH, 2008 – LORAN BRUMLEY, POLICE DEPARTMENT (*RESCHEDULED FROM MARCH 18, 2008*)**

Mayor Nordfelt read the nomination of Loran Brumley, Police Department, as Employee of the Month for March 2008.

Mr. Brumley accepted the award and the City Council expressed appreciation and congratulated him on an outstanding job performance on behalf of West Valley City.

13994 **PROCLAMATION DECLARING MONTH OF APRIL, 2008, AS FAIR HOUSING MONTH IN WEST VALLEY CITY**

Councilmember Rushton read a Proclamation declaring the month of April 2008, as Fair Housing Month in West Valley City.

13995 **COMMENT PERIOD**

Upon inquiry by Mayor Nordfelt, the following individuals addressed the City Council during the Comment Period:

Warren Webb, 4553 Fireweed Drive, Taylorsville, addressed the City Council. Mr. Webb introduced himself as a candidate for the Utah House of Representatives from District 33, which included parts of West Valley City and Taylorsville. He informed the Council of his professional background and employment experience, especially in the area of taxes as he had worked for the State Tax Commission. He also gave each member of the City Council a brochure and business card. Mr. Webb thanked the City Council for the opportunity to introduce himself.

Josh Scheuerman, 3919 South 4800 West, addressed the City Council. Mr. Scheuerman reminded that he had spoken to the Council two weeks previous regarding a skatepark. He indicated he had taken on the assignment of finding a location for such a park and stated he thought the property previously considered at Centennial Park would be a good location and requested it be preserved for that purpose.

Mike Markham, 3008 West Howell Circle, addressed the Council. Mr. Markham inquired regarding the land the City proposed for the new animal shelter on 3500 South and suggested it would be more suitable for retail uses. He indicated the City might have other property that would be put to better use as an animal shelter

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – APRIL 1, 2008

-4-

than at that particular park. He stated if the subject property was not needed for a park, it should be used for retail that would bring in sales tax revenues to the City.

Joseph Garcia, 2781 South Centerbrook Drive, addressed the City Council. Mr. Garcia stated he lived in an area with a homeowners association that was having problems with graffiti. He requested the City include resources for graffiti removal on their website in order for citizens to report problems and learn what resources were available to assist in cleaning up the graffiti in a timely manner. He also suggested addressing this problem should be a high priority for the City.

Mayor Nordfelt stated the graffiti problem was a community issue and expressed appreciation to Mr. Garcia for his efforts in his neighborhood, including the suggestions he had offered to the Council.

13996

PUBLIC HEARING, PUBLIC INPUT REGARDING DECLARING A PARCEL OF PROPERTY CURRENTLY IN USE AS THE STONEBRIDGE GOLF COURSE DRIVING RANGE TO BE SURPLUS PROPERTY AND AUTHORIZING ITS SALE

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled April 1, 2008, at 6:30 P.M., in order for the City Council to hear and consider public input regarding declaring a parcel of property currently in use as the Stonebridge Golf Course Driving Range to be surplus property and authorizing its sale. He discussed proposed Resolution No. 08-101 related to the action to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Resolution No. 08-101 which would declare a parcel of property currently in use as the Stonebridge Golf Course driving range to be surplus property and authorizing its sale.

Mr. Pyle stated the City recently entered into an agreement with Argent 201, LLC, to facilitate development of a large parcel of land located north of Stonebridge Golf Course. He further stated, as part of that agreement, the City granted Argent an option to purchase approximately 37 acres of City property currently being used as the Stonebridge driving range and two adjacent parcels of wetlands. He indicated this property would be included as part of Argent's development. He further stated the option to purchase the property was contingent upon the City holding a public hearing and making determination the property was surplus and no longer needed for City use.

The City Manager reported the contingent option agreement with Argent had been approved February 26, 2008, by Resolution No. 08-84. He also reported if the

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – APRIL 1, 2008

-5-

option to purchase was exercised by Argent the City would use the proceeds of that sale to construct a new driving range and retire a portion of the Stonebridge Golf Course bond. He indicated Argent's project consisted of a business center containing approximately 27-30 buildings and approximately 1.5 million square feet of space at full build out.

Mayor Nordfelt opened the public hearing. There being no one to speak either in favor or in opposition, Mayor Nordfelt closed the public hearing.

ACTION: RESOLUTION NO. 08-101, DECLARING A PARCEL OF PROPERTY CURRENTLY IN USE AS THE STONEBRIDGE GOLF COURSE DRIVING RANGE TO BE SURPLUS PROPERTY AND AUTHORIZING ITS SALE

The City Council previously held a public hearing regarding proposed Resolution No. 08-101 which would declare a parcel of property currently in use as the Stonebridge Golf Course Driving Range to be surplus property and authorize its sale.

After discussion, Councilmember Coleman moved to approve Resolution No. 08-101, a Resolution Declaring a Parcel of Property Currently in use as the Stonebridge Golf Course Driving Range to be Surplus Property and Authorizing its Sale. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

13997

PUBLIC HEARING, APPLICATION NO. ZT-3-2008, FILED BY WEST VALLEY CITY, REQUESTING TO AMEND SECTIONS 7-1-103 AND 7-9-104 AND ADD SECTION 7-6-1109 TO TITLE 7 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING STANDARDS FOR DETENTION FACILITIES/JAILS

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled April 1, 2008, at 6:30 P.M., in order for the

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – APRIL 1, 2008

-6-

City Council to hear and consider public comments regarding Application No. ZT-3-2008, filed by West Valley City, requesting to amend Sections 7-1-103 and 7-9-104 and add Section 7-6-1109 to Title 7 of the West Valley City Municipal Code regarding standards for detention facilities/jails. He discussed proposed Ordinance No. 08-20 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 08-20 which would amend Sections 7-1-103 and 7-9-104 and add Section 7-6-1109 to Title 7 of the West Valley City Municipal Code, regarding detention facility/jail regulations.

Mr. Pyle stated currently the Code allowed for detention facilities and jails to be located in a Manufacturing Zone as a conditional use. He further stated the use was not defined in the Code and requirements for locating such facilities were also not defined. He discussed the following proposed guidelines:

Definition:

“Detention Facility/Jail” means any facility operated to house offenders in a secure setting for the duration of their confinement commitment, or facility providing assessment, stabilization and treatment services for parole violating offenders and/or non-compliant probationers.

Parking:

Two spaces per three employees, one space per 20 inmates and one space per each service vehicle stored on site.

Spacing Requirements:

No Detention Facility/Jail shall be located within one quarter mile of any public or private school, church, public library, public playground or park, or residential zone boundary.

The site should have a buffer of at least 200 feet between the fenced compound and site property line. This buffer area may include xeroscaping or turf landscaping.

Shall not be within five miles of any other Detention Facility/Jail.

Building:

The primary façade of the facility must meet the West Valley City Commercial Design Standards.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – APRIL 1, 2008

-7-

Landscaping:

The landscaped setback along any public or private right of way must be at least 60 feet. The area must include a two to three-inch berm with one tree planted every 600 square feet. No more than 50% turf is allowed in this area and there must be a combination of four shrubs per tree with a mixture of living and non-living groundcover.

Noticing:

The applicant shall send a notice by mail to all property owners or persons operating a business within 300 feet of the property line of a proposed Detention Facility/Jail Detention Facility/Jail indicating the exact location of the property and its intended use.

Mayor Nordfelt opened the public hearing. There being no one to speak either in favor or in opposition, Mayor Nordfelt closed the public hearing.

ACTION: ORDINANCE NO. 08-20, AMENDING SECTIONS 7-1-103 AND 7-9-104 AND ADDING SECTION 7-6-1109 TO TITLE 7 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING DETENTION FACILITY/JAIL REGULATIONS

The City Council previously held a public hearing regarding Application No. ZT-3-2008 and proposed Ordinance No. 08-20 which would amend Sections 7-1-103 and 7-9-104 and add Section 7-6-1109 to Title 7 of the West Valley City Municipal Code regarding detention facility/jail regulations.

After discussion, Councilmember Winder moved to approve Ordinance No. 08-20, an Ordinance Amending Sections 7-1-103 and 7-9-104 and Adding Section 7-6-1109 to Title 7 of the West Valley City Municipal Code Regarding Detention Facility/Jail Regulations; and Amending Line 47 to add “Safe Routes to School” after the words, “public library”. Councilmember Brooks seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – APRIL 1, 2008

-8-

13998 **RESOLUTION NO. 08-102, APPROVE MULTI-JURISDICTIONAL
MUTUAL AID AGREEMENT WITH MULTIPLE AGENCIES FOR FIRE
AND EMERGENCY MEDICAL SERVICES**

City Manager, Wayne Pyle, presented proposed Resolution No. 08-102 which would approve a Multi-Jurisdictional Mutual Aid Agreement with multiple agencies for fire and emergency medical services.

Mr. Pyle stated the proposed interlocal agreement would provide for mutual aid to assist other agencies in times of fire emergency and in incidents requiring emergency medical response.

The City Manager reported the agencies involved in the agreement included West Valley City, Bluffdale, Lehi, Midvale, Murray, Salt Lake City, Saratoga Springs, South Salt Lake, South Jordan, Sandy, West Jordan, Tooele County, the Unified Fire Authority, Park City Fire District, and South Davis Fire District. He indicated they all agreed that there existed a community-wide need to provide for automatic aid response for both fire fighting and equipment and emergency medical personnel outside the normal jurisdiction area of each party. The purpose of this agreement would be to promote the health, safety and welfare of citizens of the parties through providing mutual aid by authorizing all participating municipalities to combine and share their collective capability and resources at the election of each jurisdiction.

After discussion, Councilmember Burt moved to approve Resolution No. 08-102, a Resolution Authorizing West Valley City to Execute a Multi-Jurisdictional Mutual Aid Agreement with Multiple Agencies for Fire and Emergency Medical Services.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – APRIL 1, 2008

-9-

13999 **RESOLUTION NO. 08-103, APPROVE PURCHASE OF FOUR 2008 FORD F150 VEHICLES AND ONE 2008 FORD F350 FROM KEN GARFF FORD FOR USE BY THE COMMUNITY PRESERVATION DEPARTMENT**

City Manager, Wayne Pyle, presented proposed Resolution No. 08-103 which would approve purchase of four 2008 Ford F150 vehicles, at \$20,073.95 each, and one 2008 Ford F350 and chassis at \$24,096.87, in a total amount not to exceed \$108,000.00 from Ken Garff, for use by the Community Preservation Department.

Mr. Pyle stated Ken Garff held the State contract to supply the subject vehicles. He also stated the four F150 pickup trucks would be utilized by new ordinance enforcement officers, and the one F350 cab and chassis would be utilized as a graffiti removal truck. He reported the Fleet Manager and Department Head had determined the described vehicles met the Department's needs and were the most efficient vehicles for their intended purposes.

After discussion, Councilmember Vincent moved to approve Resolution No. 08-103, a Resolution Approving the Purchase of Four 2008 Ford F150 Vehicles and One 2008 Ford F350 from Ken Garff Ford for use by the Community Preservation Department. Councilmember Winder seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14000 **RESOLUTION NO. 08-104, APPROVE RIGHT-OF-WAY AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF GRANTING A QUIT CLAIM DEED FOR A PARCEL LOCATED AT 3412 WEST AND 3500 SOUTH**

City Manager, Wayne Pyle, presented proposed Resolution No. 08-104 which would approve a Right-of-Way Agreement with the Utah Department of Transportation for the purpose of granting a Quit Claim Deed for a parcel located at 3412 West 3500 South.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – APRIL 1, 2008

-10-

Mr. Pyle stated the Utah Department of Transportation (UDOT) had requested the parcel owned by the City, and within the existing right-of-way of 3500 South, be transferred to the UDOT. He reported the City acquired the property in 1997 from Woodbury Amsource, Inc. and there was an auto parts store sitting on that parcel at the present time. He stated the subject Quit Claim Deed would transfer ownership of the property to UDOT to facilitate the 3500 South Widening Project.

After discussion, Councilmember Coleman moved to approve Resolution No. 08-104, a Resolution Authorizing the City to Enter Into a Right-of-Way Agreement with the Utah Department of Transportation for the Purpose of Granting a Quit Claim Deed for a Parcel Located at 3412 West and 3500 South.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14001

RESOLUTION NO. 08-105, APPROVE RIGHT-OF-WAY AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF GRANTING A QUIT CLAIM DEED FOR A PARCEL LOCATED AT 3421 WEST AND 3500 SOUTH

City Manager, Wayne Pyle, presented proposed Resolution No. 08-105 which would approve a Right-of-Way Agreement with the Utah Department of Transportation for the purpose of granting a Quit Claim Deed for a parcel located at 3421 West and 3500 South.

Mr. Pyle stated the Utah Department of Transportation (UDOT) had requested the parcel owned by the City, and within the existing right-of-way of 3500 South, be transferred to the Department. He reported the City acquired the property in 1996 from Willow Wood Limited as a development requirement for the Willow Wood Shopping Center. He also reported the parcel was located completely within the existing right-of-way of 3500 South and the Quit Claim Deed would transfer ownership to UDOT to facilitate the 3500 South Widening Project.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – APRIL 1, 2008

-11-

After discussion, Councilmember Burt moved to approve Resolution No. 08-105, a Resolution Authorizing the City to Enter Into a Right-of-Way Agreement with the Utah Department of Transportation for the Purpose of Granting a Quit Claim Deed for a Parcel Located at 3421 West and 3500 South. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14002

RESOLUTION NO. 08-106, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM BRENT A. BAILEY AND JOYCE L. BAILEY FOR PROPERTY LOCATED AT 3615 WEST 3965 SOUTH, 3600 WEST RECONSTRUCTION PHASE 2 PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 08-106 which would accept a Grant of Temporary Construction Easement from Brent A. Bailey and Joyce L. Bailey for property located at 3615 West 3965 South, regarding the 3600 West Reconstruction Phase 2 Project.

Mr. Pyle stated Brent A. Bailey and Joyce L. Bailey had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by construction of 3600 West from 3500 South to 4100 South. He indicated grantors previously had signed a Grant of Temporary Construction Easement which terminated December 31, 2007, for which they had been compensated \$200.00. He stated as the project had been delayed until the 2008 construction season, a new easement had been required, which easement would automatically expire December 31, 2008.

After discussion, Councilmember Rushton moved to approve Resolution No. 08-106, a Resolution Authorizing the City to Accept a Grant of Temporary Construction Easement from Brent A. Bailey and Joyce L. Bailey for Property Located at 3615 West 3965 South. Councilmember Vincent seconded the motion.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – APRIL 1, 2008

-12-

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, APRIL 1, 2008, WAS ADJOURNED AT 7:09 P.M., BY MAYOR NORDFELT.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, April 1, 2008.

Sheri McKendrick, MMC
City Recorder

DRAFT